

TRANSLATION **PATENT COOPERATION TREATY**
PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PCT-04RE01	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP2004/008665	International filing date (day/month/year) 14.06.2004	Priority date (day/month/year) 10.10.2003
International Patent Classification (IPC) or national classification and IPC B65D90/00, B65D88/12		
Applicant ROKKO ENGINEERING CO., LTD.		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>4</u> sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s))</p> <p>_____ , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																									
<p>4. This report contains indications relating to the following items:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"><input checked="" type="checkbox"/></td> <td style="width: 15%;">Box No. I</td> <td style="width: 70%;">Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:

international search (Rule 12.3 and 23.1(b))
 publication of the international application (Rule 12.4)
 international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

the international application as originally filed/furnished
 the description:
 pages 1-25 as originally filed/furnished
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____

the claims:
 nos. 5, 10, 14, 16 as originally filed/furnished
 nos.* _____ as amended (together with any statement) under Article 19
 nos.* 2, 4, 6-9, 11, 13, 15, 17-18 received by this Authority on 29.11.2004
 nos.* 1 received by this Authority on 06.01.2006

the drawings:
 sheets 1-13 as originally filed/furnished
 sheets* _____ received by this Authority on _____
 sheets* _____ received by this Authority on _____

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

the description, pages _____
 the claims, nos. 3, 12 _____
 the drawings, sheets/figs _____
 the sequence listing (specify): _____
 any table(s) related to sequence listing (specify): _____

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (specify): _____
 any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	<u>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</u>																									
<p>1. Statement</p> <table> <tr> <td>Novelty (N)</td> <td>Claims</td> <td><u>1-2, 4-11, 13-18</u></td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td>_____</td> <td>NO</td> </tr> <tr> <td>Inventive step (IS)</td> <td>Claims</td> <td><u>1-2, 4-11, 13-18</u></td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td>_____</td> <td>NO</td> </tr> <tr> <td>Industrial applicability (IA)</td> <td>Claims</td> <td><u>1-2, 4-11, 13-18</u></td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td>_____</td> <td>NO</td> </tr> </table>			Novelty (N)	Claims	<u>1-2, 4-11, 13-18</u>	YES		Claims	_____	NO	Inventive step (IS)	Claims	<u>1-2, 4-11, 13-18</u>	YES		Claims	_____	NO	Industrial applicability (IA)	Claims	<u>1-2, 4-11, 13-18</u>	YES		Claims	_____	NO
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	Claims	_____	NO																							
Industrial applicability (IA)	Claims	<u>1-2, 4-11, 13-18</u>	YES																							
	Claims	_____	NO																							
<p>2. Citations and explanations (Rule 70.7)</p> <p>Document 1: JP 4-72186 A (Taiyo Seiki Iron Works Co., Ltd.), 06 March 1992</p> <p>Document 2: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 118164/1988 (Laid-open No. 38345/1990) (Osaka Shosen Mitsui Senpaku Kabushiki Kaisha), 14 March 1990</p> <p>Document 3: WO 1987/06895 A1 (Mitsubishi Motors Corp.), 19 November 1987</p> <p>Document 4: WO 2002/028748 A1 (Martin CLIVE-SMITH), 11 April 2002</p> <p>Document 5: JP 5-213107 A (Greenbriar Leasing Corp.), 24 August 1993</p> <p>Document 6: US 5644992 A (Martin CLIVE-SMITH), 08 July 1997</p>																										
<p>The invention set forth in claim 1 is novel and involves an inventive step in relation to documents 1 to 3, which are cited in the international search report, and documents 4 to 6, which are newly cited. The feature wherein the vertical bracing member, which comes into contact with the inside upper part of the container so as to apply an upward force thereto, is configured from a</p>																										

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Box No. V **Reasoned statement under Article 35(2) with regard to novelty, inventive step or Industrial applicability; citations and explanations supporting such statement**

portal-shaped vertical frame and lifting robots for bringing the tip parts into contact with the left and right corners on the inside upper part of the container so as to lift each corner in an ascending direction, which have an adjustable length and are attached to the upper part of the vertical frame at positions slightly towards the inside of the vertical frame in the widthwise direction, is not disclosed or suggested in any of documents 1 to 6; furthermore, the feature in question would not have been obvious to a person skilled in the art.

The invention set forth in claim 7 is novel and involves an inventive step in relation to documents 1 to 3, which are cited in the international search report, and documents 4 to 6, which are newly cited. The feature wherein the vertical bracing member, which comes into contact with the inside of the upper part of the container so as to apply an upward force thereto, is mounted to the base member by means of pins and is configured so as to rise up from the base member in cases when said vertical bracing member has been attached to a diagonal brace that constitutes a brace strut, and so as to lie flat upon the base member along with the diagonal brace in cases when said vertical bracing member has been detached from said diagonal brace is not disclosed or suggested in any of documents 1 to 6; furthermore, the feature in question would not have been obvious to a person skilled in the art.

The invention set forth in claim 8 is novel and involves an inventive step in relation to documents 1 to 3, which are cited in the international search report, and documents 4 to 6, which are newly cited. The feature

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

wherein the vertical bracing member, which comes into contact with the inside of the upper part of the container so as to apply an upward force thereto, is configured so as to rise up from the base member in cases when said vertical bracing member has been mounted to the base member by means of a plurality of pins that do not have the same central axis, and so as to lie flat upon the base member in cases when said vertical bracing member has been unmounted by releasing the plurality pins that do not have the same central axis is not disclosed or suggested in any of documents 1 to 6; furthermore, the feature in question would not have been obvious to a person skilled in the art.

In addition, the inventions set forth in claims 2, 4 to 6, 9 to 11 and 13 to 18 all cite claim 1, claim 7 or claim 8, and thus the inventions in question are novel and involve an inventive step in relation to documents 1 to 3, which are cited in the international search report, and documents 4 to 6, which are newly cited, for the same reasons as are presented with regards to claim 1, claim 7 and claim 8.